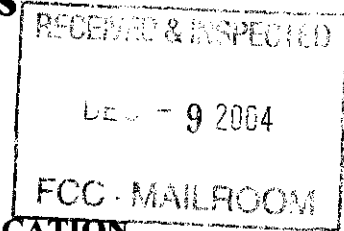


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## Telelink Communications

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Lakewood NJ, 08701  
732-961-9642



EX PARTE COMMUNICATION

Dec. 5-04

Chairman Michael Powell  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, S.W., TW-A325  
Washington, DC 20554

ORIGINAL

Re: *Access to Unbundled Network Elements, WC Docket No. 03-225*

Dear Chairman Powell:

I understand the FCC is voting in regards to the continuation of UNE-P Services this coming week. I would like to take a moment to express to you how important UNE-P is to my self, my family, my industry (Payphone providers) and to the countless customers that use our payphones on a daily basis.

Being in the Payphone business for the last 11 years has been both rewarding and very difficult. I manage to provide a living for my family of 5 children doing this as my sole source of livelihood and at the same time have the chance to provide a real telecommunications choice to the people that live in my areas (N.Y.). The fact is, many people still choose to depend on and use payphones even in today's world with cell phones. Many people, especially students and the elderly or simply hard working folks who have to watch every penny they spend to stay alive; can not afford a cell phone. These people use my payphones daily, and to them if I am forced to remove my payphones, they would suddenly be at a loss to conduct there day to day lives.

Many people are also concerned with the still not completely proven health safety of using cell phones on a daily basis. Until some real long time study's are finalized (years away still) there is a legitimate concern to daily usage of cell phones. Not to mention, Cell phone service is spotty at best. The list of groups of people that choose to use payphones is too long to put down in this letter, suffice it to say, it is real and large.

I use a CLEC for my payphone lines, as does virtually every one of the payphone providers I know for the last few years. If UNE-P goes away, The Clecs will either charge much higher rates or close down completely. If either of those 2 things happens, I will have no choice but to remove most, if not all of my payphones as the cost will be impossible to justify. I would lose my source of a living as will every other payphone provider will. There will be an almost immediate lack of payphone service to the schools, hospitals, nursing homes, mentally

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challenged rehabilitation homes, firehouses, and other public places I currently provide payphones to.

I implore you to please take the steps necessary to ensure that the FCC's revised UNE rules preserve competitive local service alternatives for payphones. Practically speaking it is simply not an option for us payphone providers to go to our single strongest competitor, Verizon for payphone service. Their rates and non commitment to us makes it a dead option for us to consider. We know this from experience. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Shurkin".

David Shurkin